

REMARKS

The Applicant respectfully requests entry of the above amendment and reconsideration in view of the amendment and the following remarks.

In response to the objection that 'it is unclear to what the terms "NA", "NG" and "NV" are referring', in claims 5 and 10, "NA" is defined as "user-selectable audio streams", "NG" is defined as "user-selectable graphics streams", and "NV" is defined as user selectable video streams.

In response to the rejection of claim 1 under 35 USC 101, allegedly because the claim is not a proper process claim because the claim does not set forth any process steps, the applicant traverses the rejection. More specifically, "each of the alternative information streams (VS1; VS2; VS3) is divided into alternative information stream blocks" as previously recited in claim 1 is a proper process step. Also, "each of the common information stream parts (AS1; AS2; GS1; GS2) is divided into common information stream blocks" as recited in claim 1 is a proper process step. The examiner should withdraw this first 101 rejection.

In response to the rejection of claim 1 under 35 USC 101, because the process is not tied to another statutory category or transformation of matter, the claim has been amended above to indicate that "a processor" and "media write means" perform the process steps.

In response to the rejection of claims 7-19 under 35 USC 101 because the claimed invention is directed toward non-statutory subject matter, the claims have been amended to indicate that the Record medium is "readable by processing apparatus"

In response to the rejection of claims 1-19 under 35 USC 103(a), for allegedly being unobvious over the combination of

US6907190 to Kashiwagi and US6088507 to Yamauchi, the applicant traverses the rejection as follows:

1. The examiner has not provided any evidence to prove that it would be obvious to one skilled in the art to combine Kashiwagi with Yamauchi. To make a prima facie case, the examiner has to show some suggestion, teaching or motivation in the prior art to combine the citations or some other reason to combine the citations.
2. Regarding claim 1, the examiner has not pointed out anywhere in the combination of citations where "a succession of consecutive interleaved units, each interleaved unit comprising one corresponding block of each of the common information stream parts and one corresponding block of each of the alternative information streams, the common information stream blocks being separate from the alternative information stream blocks" as recited in claim 1. Similarly, regarding claim 7, the examiner has not pointed out anywhere in the combination of citations where "a track (3) of the record medium contains a succession of consecutive interleaved units, each interleaved unit comprising one corresponding block of each of the common information stream parts and one corresponding block of each of the alternative information stream parts, the common information stream blocks being separate from the alternative information stream blocks." as recited in claim 7. The applicant has searched Yanauchi col. 8 lines 9-38 and col. 16, lines 1-11, and figure 3, as well as the other sections of Kashiwagi and Yanauchi pointed out by the examiner and this limitation is not there. Thus, claims 1 and 7 are distinguished from the combination of citations and the examiner should withdraw this rejection of claims 1 and 7 under 35 USC 103(a).

All the other claims 2-6, 8-19 are dependent on claims 1 or 7 and are allowable for at least the same reasons, thus, the

examiner should also withdraw this rejection of claims 2-6, 8-19 under 35 USC 103(a).

Applicants deny any statements of the Examiner that are not specifically agreed with in the foregoing arguments. Any rejections or arguments that were not addressed are moot in view of the presented remarks. Also, the Applicants reserve the right to submit further arguments in support of the above remarks, should that become necessary. No arguments are waived and none of the Examiner's statements are conceded.

The Commissioner is hereby authorized to credit any overpayment or charge any fee (except the issue fee) including fees for any required extension of time, to Account No. 14-1270.

Respectfully submitted,

By /Michael E. Belk/  
Michael E. Belk, Reg. 33,357  
Senior Attorney  
(914) 333-9643